

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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FAFARD REAL ESTATE &
DEVELOPMENT CORP.,

Plaintiff/Defendant-in Counterclaim

vs.

METRO-BOSTON BROADCASTING, INC.,

Defendant/Plaintiff-in-Counterclaim

U.S. DISTRICT COURT
DISTRICT OF MASS.

Civil Action No. 04-11531 RGS

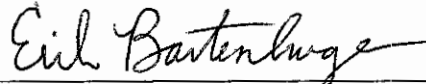
NOTICE OF CROSS-APPEAL

Notice is hereby given that Metro-Boston Broadcasting, Inc. ("Metro-Boston"), defendant in the above named case, hereby notices its cross-appeal to the United States Court of Appeals for the First Circuit from (1) that portion of the final judgment entered in this action on April 28, 2006 in which the Court granted summary judgment for plaintiff Fafard Real Estate & Development Corp. ("Fafard") on Metro-Boston's counterclaims for abuse of process, interference with advantageous business relations, and violation of Mass. Gen. Laws c. 93A, and (2) three separate orders issued by the Court dated August 10, 2004, November 24, 2004 and April 7, 2006, respectively, which together denied Metro-Boston's several requests for a special motion dismissing plaintiff Fafard's complaint and for an award of costs and attorneys fees pursuant to Mass. Gen. Laws c. 184, § 15(c).

Respectfully submitted,

METRO-BOSTON BROADCASTING, INC.

By its attorneys,



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